

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark McDowell

Serial No.: (Not yet assigned)

Art Unit: (not yet assigned)

Filed: (herewith)

Examiner: (not yet assigned)

Title: "Compact Microscope Imaging System with Intelligent Controls"

03916 U.S. PTO
10/645999
08/21/03



CERTIFICATE OF MAILING UNDER 37 CFR 1.10(a)

I certify that the attached correspondence consisting of:

- Application (53 pages, including 33 claims)
- Formal Drawings (25 sheets)
- NASA Form 1538- Declaration, Power of Attorney, and Petition
- PTO SB/05- Utility Patent Application Transmittal
- PTO SB/17- Fee Transmittal
- PTO SB/35- Non Publication Request
- Assignment of Mark D. McDowell with 2 Recordation Forms
- Information Disclosure Statement, with PTO SB/08A and prior art patents
- Mailing Receipt Card

is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under Mailing Label Number ER 238528645 US in an envelope addressed to the Commissioner for Patents, Mail Stop: New Application , P.O. Box 1450, Alexandria, VA 22313-1450 on August 21, 2003.

Kent N. Stone
Kent N. Stone
Attorney for Applicant
Registration No. 31,883

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	LEW 17,484-1
First Inventor	Mc Dowell
Title	Compact Microscope Imaging System with Intelligent Controls
Express Mail Label No.	ER 238528645 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 53]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 25]
5. Oath or Declaration [Total Sheets 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 18 completed)*
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney *(when there is an assignee)*
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner _____ Art Unit: _____
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number: 26311 OR Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Kent N. Stone	Registration No. (Attorney/Agent)	31,883
Signature	<u>Kent N. Stone</u>	Date	August 21, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, All ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for *If you need assistance in completing*

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21 day of August, 2003.

Kent N. Stone
Kent N. Stone

08/21/03



PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1024.00)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Mc Powell
Examiner Name	
Art Unit	
Attorney Docket No.	LEW 17,484-1

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name

14-0116

NASA

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001	750	Utility filing fee	750
1002	330	Design filing fee	
1003	520	Plant filing fee	
1004	750	Reissue filing fee	
1005	160	Provisional filing fee	
SUBTOTAL (1)		(\$ 750)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
33	3	NONE	-20** = 13	X 18 = 234	234
3	3		-3** = 0	X 0 = 0	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202	18	Claims in excess of 20
1201	84	Independent claims in excess of 3
1203	280	Multiple dependent claim, if not paid
1204	84	** Reissue independent claims over original patent
1205	18	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 234)

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	410	2252 205 Extension for reply within second month	
1253	930	2253 465 Extension for reply within third month	
1254	1,450	2254 725 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	40
1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Kent N. Stone	Registration No. (Attorney/Agent)	31,883	Telephone	(216) 433-8955
Signature	Kent N. Stone	Date	August 21, 2003		

WARNING: Information on this form may become included on this form. Provide credit card info

This collection of information is required by 37 CFR 1.17 and 1.27. The information USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 including gathering, preparing, and submitting the completed application form to the the amount of time you require to complete this form and/or suggestions for reduci Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA

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Kent N. Stone
Kent N. Stone

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	McDowell
Title	compact Microscope Imaging System with Intelligent Controls
Atty Docket Number	LEW 17,484-1

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 21, 2003

Date

Signature

Kent N. Stone

Typed or printed name

Reg. No 31,883

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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21 day of August, 2003.

Kent N. Stone